

AN ORDINANCE REPEALING AND REPLACING  
CHAPTER 31, SECTION 31.03 OF THE  
CITY OF FORT WAYNE CODE OF  
ORDINANCES REGARDING RESIDENCE  
REQUIREMENTS OF OFFICERS AND  
EMPLOYEES OF THE CITY OF FORT WAYNE,  
INDIANA, EXCEPT THOSE WHOSE  
RESIDENCE REQUIREMENTS ARE  
ESTABLISHED BY INDIANA STATE LAW.

WHEREAS, by legislative enactment the State of  
Indiana has established specific residence requirements  
for the City Attorney for cities of the second class in  
the State of Indiana and for members of the Police and  
Fire Departments of such cities; and

WHEREAS, except for the above-noted residence  
requirements established by Indiana State Law, it is in  
the interest of the City of Fort Wayne to enact an  
Ordinance requiring all appointive officers and all  
employees of the various departments of the City of Fort  
Wayne to reside within the limits of Allen County,  
Indiana.

WHEREAS, the lack of effective enforcement of  
Ordinance G-03-89, has made it necessary to "Grandfather"  
six employees who were employed after April 1, 1989, and  
now reside outside of the County limits.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON  
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 31, Section 31.03 of  
the City of Fort Wayne Code of Ordinances is hereby  
repealed and is replaced as follows: All appointive  
officers and all employees of the various departments of  
the City, except as to those City employees whose  
residency requirements are established expressly by  
Indiana State Law, who accept permanent, full-time  
employment or permanent part-time employment after April  
1, 1989, must have their principal place of residence  
within Allen County, Indiana.

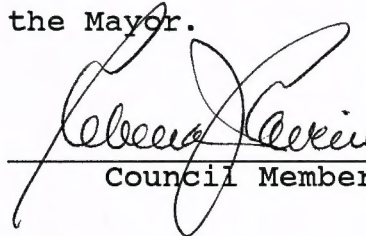
1           SECTION 2. Employees and appointive officers  
2 whose residency requirements are not established by  
3 Indiana State Law and who were first appointed prior to  
4 April 1, 1989, but who have had a break in service with  
5 the City and are reappointed or reemployed after April 1,  
6 1989, must also have their principal place of residence  
7 in Allen County

8           SECTION 3. Employees and appointive officers  
9 first appointed prior to April 1, 1989, and who have had  
10 no break in service with the City, are not subject to any  
11 residency requirements other than those established by  
12 Indiana State Law.

13           SECTION 4. That those employees listed within  
14 this section shall be "grandfathered" (exempted) from the  
15 provisions of this Ordinance. They include; Cassy E.  
16 Davis, Dennis Ehmke, Detta K. Gass, Seth Poorman,  
17 Elizabeth Spees and Beth Vandenberg.

18           SECTION 5. That the aforementioned individuals  
19 to be "grandfathered" will maintain residence at their  
20 current address or upon moving shall be required to  
21 establish residence within the boundaries of Allen  
22 County, Indiana.

23           SECTION 6. That this Ordinance shall be in  
24 full force and effect from and after its passage and any  
25 and all necessary approval by the Mayor.

26   
27 Council Member

28 APPROVED AS TO FORM  
29 AND LEGALITY

30   
31 J. TIMOTHY MCCAULAY, CITY ATTORNEY  
32



Read the first time in full and on motion by Mr. Jantz, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on Legislation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATED: 2-22-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Parini, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED ~~lost~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 3-8-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL) \_\_\_\_\_ (SPECIAL) \_\_\_\_\_ (ZONING) \_\_\_\_\_ ORDINANCE RESOLUTION NO. B-05-94 on the 8th day of March, 1994

ATTEST:  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

(SEAL)  
Don J. Schmitter  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of March, 1994, at the hour of 11:30 o'clock PM, M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of March, 1994, at the hour of 8:00 o'clock PM, M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR





Paul Helmke  
Mayor

# THE CITY OF FORT WAYNE

Department of Human Resources  
Room 380



24-HOUR JOELINE (219) 427-1186  
BENEFITS ADMINISTRATION (219) 427-1198  
EEO/AFFIRMATIVE ACTION (219) 427-1180  
LABOR RELATIONS (219) 427-1180  
PAYROLL (219) 427-1292  
PERSONNEL (219) 427-1180  
TDD (219) 427-1180  
FAX (219) 427-1393

## MEMORANDUM

To: Members of the City of Ft. Wayne Common Council

From: Nelson Peters, Director of Human Resources

Subject: Residency Ordinance Requirements

Date: November 8, 1993

*9-94-02-18*

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Earlier this year, this department was made aware of several employees who were not in compliance with the residency ordinance (G-03-89) passed by the Council on March 27, 1989. Consequently, we sent a letter to these individuals asking them to justify their reasons for living outside the County's boundaries. Enclosed is a synopsis of those responses.

Although the ordinance became effective on April 1, 1989, we did not fully implement a system of checks and balances until July of 1990. During that period four individuals were able to slip through the system. Additionally, three moved from the County after their start date with the City and one actually was a County resident. One individual has since, moved back. Since July of 1990, to the best of my knowledge, all employees hired have been residents of Allen County.

In the majority of these cases, mistakes were made which were not the fault of the employee. In a couple of cases employees simply chose to ignore the ordinance. Nevertheless, these employees have been no less valuable in their contributions to the City of Ft. Wayne than other employees.

For these aforementioned reasons, I would appreciate your support for the enclosed ordinance which will allow these employees to continue their employment with the City of Ft. Wayne. I thank you in advance for your consideration. I look forward to discussing this with you should you have questions regarding this issue.

cc: Paul Helmke, Mayor  
Greg Purcell, Chief of Staff  
Tim McCaulay, Corporation Counsel

An Equal Opportunity Employer  
One Main Street, Fort Wayne, Indiana 46802

DIGEST SHEET

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE HUMAN RESOURCES

SYNOPSIS OF ORDINANCE REPLACES CHAPTER 31, SECTION 31.03  
OF THE CITY OF FORT WAYNE CODE OF ORDINANCES.

1. ESTABLISHES RESIDENCY REQUIREMENTS FOR ALL APPOINTIVE  
OFFICERS AND ALL EMPLOYEES OF THE CITY OF FORT WAYNE  
ACCEPTING EMPLOYMENT AFTER APRIL 1, 1989;

2. ESTABLISHES RESIDENCY REQUIREMENTS FOR ALL APPOINTIVE  
OFFICERS APPOINTED PRIOR TO APRIL 1, 1989, AND HAVE HAD  
A BREAK IN SERVICE AND ARE REAPPOINTED AFTER APRIL 1,  
1989.

3. ALLOWS A "GRANDFATHER" PROVISION FOR CERTAIN CITY OF  
FORT WAYNE EMPLOYEES.

EFFECT OF PASSAGE RESIDENCY REQUIREMENTS CAN BE  
CLARIFIED.

EFFECT OF NON-PASSAGE RESIDENCY REQUIREMENTS ARE NOT  
CLARIFIED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)   

ASSIGNED TO COMMITTEE (PRESIDENT)



BILL NO. G-94-02-18

REPORT OF THE COMMITTEE ON  
REGULATIONS  
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR  
DONALD J. SCHMIDT  
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) REPEALING AND REPLACING  
CHAPTER 31, SECTION 31.03 OF THE CITY OF FORT WAYNE CODE OF ORDINANCES  
REGARDING RESIDENCE REQUIREMENTS OF OFFICERS AND EMPLOYEES  
OF THE CITY OF FORT WAYNE, INDIANA EXCEPT THOSE WHOSE RESIDENCE  
REQUIREMENTS ARE ESTABLISHED BY INDIANA STATE LAW

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Rebecca Ravine*

*Donald J. Schmidt*

*Mark E. Giaquinta*

*Janet G. Bradbury*

DATED: 2-8-94

Sandra E. Kennedy  
City Clerk